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EXHIBIT**440**

September 1, 1966

Mr. J. B. Clark, Chief Engineer
L & N Railway Company
908 W. Broadway
Louisville, Kentucky

Dear Mr. Clark:

During recent conversations with representatives of L & N Railway Company the matter of waste disposal from the Padron Yards, Nashville, Tennessee, location and the Produce Yards, Louisville, Kentucky, was discussed.

As you are aware a pond for oil removal was provided for the Nashville Yards. This unit has been effective as far as the removal of oils from the surface stream is concerned. We have had, however, complaints regarding the condition of ground-water in the vicinity of this pond. There is evidence to indicate that oil wastes from some source is reaching the ground stream feeding a private water supply. Although we cannot definitely conclude the waste from this pond is reaching the ground stream feeding this private supply, it is evident that the liquid from the pond is going underground. We are suggesting that this matter be further pursued with the idea in mind that either waterproofing the bottom of the existing pond or provide other facilities.

Complaints have been received regarding the condition of the small surface stream that receives the waste from the Bruceton Yards' operations. In view of the stream pollution problem being created by this operation, it is recommended that the railway officials proceed to provide treatment necessary to reduce the pollutant material in this waste to an acceptable level. Unless some one in your organization is thoroughly familiar with industrial waste treatment it is suggested that the railway officials hire consulting engineers to study these problems and draw plans and specifications for adequate waste disposal facilities.

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Should you desire we will be most happy to further discuss this matter with you. We shall look forward to receiving information from you regarding the steps which the L & N Railway Company will take leading to the correction of this problem. It will be necessary that this information be made available to us prior to the meeting of the Tennessee Stream Pollution Control Board in November of 1966.

Yours very truly,

Wm. Harold Martin
Assistant Director
Stream Pollution Control

WLM:pm

cc: Davidson County Health Department

cc: Carroll County Health Department